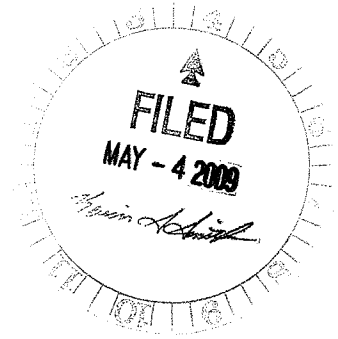


In the
Indiana Supreme Court



IN THE MATTER OF THE)
)
APPROVAL OF LOCAL RULES)
)
FOR PERRY COUNTY)

Case No. 62S00-0905-MS- 211

ORDER APPROVING AMENDED LOCAL RULE

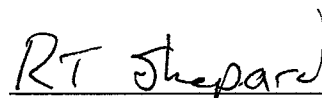
The Judge of the Perry Circuit Court requests the approval of an amended local rule for court reporter services in accordance with Ind. Administrative Rule 15. Attached to this Order is the proposed amended local rule.

Upon examination of the proposed rule amendment requested by the Perry Circuit Court, this Court finds that the proposed rule amendment, LR62-AR15-5 complies with the requirements of Ind. Administrative Rule 15, and, accordingly, should be approved and posted in the county clerk's office(s) and on the county clerk's website, if any, and on this Court's website.

IT IS, THEREFORE, ORDERED by this Court that amended Local Rule LR62-AR15-5 for Perry Circuit Court, set forth as an attachment to this Order, is approved effective retroactive to January 1, 2009. The Clerk of this Court is further directed to forward a copy of this Order to the Hon. Lucy Goffinet, Perry Circuit Court, 2219 Payne Street, Tell City, IN 47586 and to the Clerk of the Perry Circuit Court. The Clerk is also directed to post this Order on the Court's website.

The Clerk of the Perry Circuit Court is directed to enter this Order and attachment in the Record of Judgments and Orders for the Courts, to post this Order and attachment for examination by the Bar and the general public, and if available, to publish this Order and attachment on the county clerk's website.

DONE at Indianapolis, Indiana, this 4th day of May, 2009.



Randall T. Shepard
Chief Justice of Indiana

Pursuant to Administrative Rule 15, the Perry Circuit Court hereby adopts the following local rule by which court reporter services shall be governed:

Section One – Definitions

A Court Reporter is a person who is specifically designated by a court to perform the official court reporting services for the court, including preparing a transcript of the record.

Equipment means all physical items owned by the court or other governmental entity and used by a court reporter in performing court reporting services. Equipment shall include, but not be limited to, telephone, computer hardware, software programs, disks, tapes, and any other device used for recording, storing and transcribing electronic data.

Work space means that portion of the court's facilities dedicated to each court reporter, including but not limited to, actual space in the courtroom and any designated office space.

Page means the page unit of transcript which results when a recording is transcribed in the form required by Indiana Rule of Appellate Procedure 7.2.

Recording means the electronic, mechanical, stenographic or other recording made as required by Indiana Rule of Trial Procedure 74.

Regular hours worked means those hours which the court is regularly scheduled to work during any given work week.

Gap hours worked means those hours worked that are in excess of the regular hours worked but hours not in excess of forty (40) hours per work week.

Overtime hours worked means those hours worked in excess of forty (40) hours per work week.

Work week means a seven (7) consecutive day week that consistently begins and ends on the same days throughout the year; i.e., Sunday through Saturday, Wednesday through Tuesday, Friday through Thursday.

Court means the particular court for which the court reporter performs services.

County indigent transcript means a transcript that is paid for from county funds and is for the use of or on behalf of a litigant who has been declared indigent by a court.

State indigent transcript means a transcript that is paid for from state funds and is for the use of or on behalf of a litigant who has been declared indigent by a court.

Private transcript means a transcript, including but not limited to a deposition transcript, that is paid for by a private party.

Section Two – Salaries and Per Page Fees

(1) Court Reporters shall be paid an annual salary for time spent working under the control, direction and direct supervision of the court during any regular work hours, gap hours or overtime hours. The court shall enter into a written agreement with the court reporter which outlines the manner in which the court reporter is to be compensated for gap and overtime hours; i.e., monetary compensation or compensatory time off regular work hours.

(2) The maximum per page fee for a court reporter for the preparation of a county indigent transcript shall be ~~\$4.00~~ \$4.50 per page. A minimum fee of ~~\$35.00~~ \$40.00 shall be applicable for any transcript. The court reporter shall submit a claim directly to the county for the preparation of any county indigent transcript.

(3) The maximum per page fee for a court reporter for the preparation of a state indigent transcript shall be \$4.50 per page.

(4) The maximum per page fee a court reporter may charge for the preparation of a private transcript shall be \$4.50 per page.

~~(3)~~ (5) Index and table of contents pages will be charged at the same per page rate as other pages for the transcript.

(4) (6) Time spent binding the transcript and exhibit binders shall be computed based upon an hourly rate. Such hourly rate shall be the approximate hourly rate for the court reported based upon the court reporter's annual compensation (~~i.e. court reporter's annual compensation divided by 1,280 hours~~)

(5) (7) In the event any office supplies are required and utilized for the binding and electronic transmission of the transcript, then the actual cost of these supplies will be charged.

(6) (8) Each court reporter shall report, at least on an annual basis, all transcript fees received for the preparation of either county indigent, state indigent, or private transcripts to the Indiana Supreme Court Division of State Court Administration. The reporting shall be made on forms prescribed by the Division of State Court Administration.

Section Three – Private Practice

If a court reporter elects to engage in private practice through the recording of a deposition and/or preparing of a deposition transcript, and the court reporter desires to utilize the court's equipment, work space and supplies, and the court agrees to the use of the court equipment for such purpose, the court and the court reporter shall enter into an agreement which must, at the minimum, designate the following:

The reasonable market rate for the use of equipment, work space, and supplies;

The method by which records are to be kept for the use of equipment, work space and supplies;
and

The method by which the court reporter is to reimburse the court for the use of the equipment,
work space and supplies

If a court reporter elects to engage in private practice through the recording of a deposition
and/or preparing of a deposition transcript, all such private practice work shall be conducted
outside of regular working hours.